

and cleaned at the same time must be tested for oil contamination in accordance with Specification RR-C-901D, paragraph 4.3.2 (IBR, see §171.7 of this subchapter) and meet the standard of cleanliness specified therein.

[71 FR 33885, June 12, 2006]

#### § 173.337 Nitric oxide.

(a) Nitric oxide must be packaged in cylinders conforming to the requirements of §173.40 and as follows:

(1) *DOT specification cylinder.* In a DOT 3A1800, 3AA1800, 3E1800, or 3AL1800 cylinder. A DOT specification cylinder must be charged to a pressure of not more than 5,170 kPa (750 psi) at 21 °C (70 °F). Transportation of nitric oxide in a DOT 3AL is cylinder is authorized only by highway and rail.

(2) *UN cylinder.* In a UN cylinder with a minimum test pressure of 200 bar. The maximum working pressure of the cylinder must not exceed 50 bar. The pressure in the cylinder at 65 °C (149 °F) may not exceed the test pressure. The use of UN tubes and MEGCs is not authorized.

(3) *Valves.* Cylinders must be equipped with a stainless steel valve and valve seat that will not deteriorate in contact with nitric oxide. Cylinders or valves may not be equipped with pressure relief devices of any type.

(b) Each UN cylinder must be cleaned in accordance with the requirements of ISO 11621 (IBR, see §171.7 of this subchapter). Each DOT specification cylinder must be cleaned in compliance with the requirements of GSA Federal Specification RR-C-901D, paragraphs 3.3.1 and 3.3.2 (IBR, see §171.7 of this subchapter). Cleaning agents equivalent to those specified in Federal Specification RR-C-901D may be used; however, any cleaning agent must not be capable of reacting with oxygen. One cylinder selected at random from a group of 200 or fewer and cleaned at the same time must be tested for oil contamination in accordance with Federal Specification RR-C-901D paragraph 4.3.2 and meet the standard of cleanliness specified therein.

[71 FR 33885, June 12, 2006]

#### § 173.338 Tungsten hexafluoride.

(a) Tungsten hexafluoride must be packaged in specification 3A, 3AA, 3BN, or 3E (§§178.36, 178.37, 178.39, 178.42 of this subchapter) cylinders. Cylinders must be equipped with a valve protection cap or be packed in a strong outer packaging meeting the provisions of §173.40. Outlets of any valves must be capped or plugged. As an alternative, the cylinder opening may be closed by the use of a metal plug. Specification 3E cylinders must be shipped in an overpack that meets the provisions of §173.40.

(b) In place of the volumetric expansion test, DOT 3BN cylinders used in exclusive service may be given a complete external visual inspection in conformance with part 180, subpart C, of this subchapter, at the time such periodic requalification becomes due. Cylinders that undergo a complete external visual inspection, in place of the volumetric expansion test, must be condemned if removed from tungsten hexafluoride service.

[ 74 FR 16143, Apr. 9, 2009, as amended at 75 FR 5395, Feb. 2, 2010]

#### § 173.340 Tear gas devices.

(a) Packagings for tear gas devices must be approved prior to initial transportation by the Associate Administrator.

(b) Tear gas devices may not be assembled with, or packed in the same packaging with, mechanically- or manually-operated firing, igniting, bursting, or other functioning elements unless of a type and design which has been approved by the Associate Administrator.

(c) Tear gas grenades, tear gas candles, and similar devices must be packaged in one of the following packagings conforming to the requirements of part 178 of this subchapter at the Packing Group II performance level:

(1) In UN 4A, 4B, or 4N metal boxes or UN 4C1, 4C2, 4D, or 4F metal-strapped wooden boxes. Functioning elements not assembled in grenades or devices must be in a separate compartment of these boxes, or in inner or separate outer boxes, UN 4C1, 4C2, 4D, or 4F, and must be packed and cushioned so that they may not come in contact with

## § 173.401

each other or with the walls of the box during transportation. Not more than 50 tear gas devices and 50 functioning elements must be packed in one box, and the gross weight of the outer box may not exceed 35 kg (77 pounds).

(2) In UN 1A2, 1B2, 1N2 or 1H2 drums. Functioning elements must be packed in a separate inner packaging or compartment. Not more than 24 tear gas devices and 24 functioning elements must be packed in one outer drum, and the gross weight of the drum may not exceed 35 kg (77 pounds).

(3) In a UN 4G fiberboard box with inside tear gas devices meeting Specifications 2P or 2Q. Each inside packaging must be placed in fiberboard tubes fitted with metal ends or a fiber box with suitable padding. Not more than 30 inner packagings must be packed in one outer box, and the gross weight of the outer box may not exceed 16 kg (35 pounds).

(4) In other packagings of a type or design which has been approved by the Associate Administrator.

(d) Tear gas devices may be shipped completely assembled when offered by or consigned to the U.S. Department of Defense, provided the functioning elements are packed so that they cannot accidentally function. Outer packagings must be UN 4A, 4B, or 4N metal boxes or UN 4C1, 4C2, 4D, or 4F metal-strapped wooden boxes.

[Amdt. 173-224, 55 FR 52669, Dec. 21, 1990, as amended 66 FR 45379, Aug. 28, 2001; 78 FR 1092, Jan. 7, 2013]

## Subpart H [Reserved]

## Subpart I—Class 7 (Radioactive) Materials

SOURCE: Amdt. 173-244, 60 FR 50307, Sept. 28, 1995, unless otherwise noted.

### § 173.401 Scope.

(a) This subpart sets forth requirements for the packaging and transportation of Class 7 (radioactive) materials by offerors and carriers subject to this subchapter. The requirements prescribed in this subpart are in addition to, not in place of, other requirements set forth in this subchapter for Class 7 (radioactive) materials and those of

## 49 CFR Ch. I (10-1-13 Edition)

the Nuclear Regulatory Commission in 10 CFR part 71.

(b) This subpart does not apply to:

(1) Class 7 (radioactive) materials produced, used, transported, or stored within an establishment other than during the course of transportation, including storage in transportation.

(2) Class 7 (radioactive) materials that have been implanted or incorporated into, and are still in, a person or live animal for diagnosis or treatment.

(3) Class 7 (radioactive) material that is an integral part of the means of transport.

(4) Natural material and ores containing naturally occurring radionuclides which are not intended to be processed for use of these radionuclides, provided the activity concentration of the material does not exceed 10 times the values specified in § 173.436.

[Amdt. 173-244, 60 FR 50307, Sept. 28, 1995, as amended at 69 FR 3670, Jan. 26, 2004]

### § 173.403 Definitions.

For purposes of this subpart—

*A<sub>1</sub>* means the maximum activity of special form Class 7 (radioactive) material permitted in a Type A package. This value is either listed in § 173.435 or may be derived in accordance with the procedures prescribed in § 173.433.

*A<sub>2</sub>* means the maximum activity of Class 7 (radioactive) material, other than special form material, LSA material, and SCO, permitted in a Type A package. This value is either listed in § 173.435 or may be derived in accordance with the procedures prescribed in § 173.433.

*Class 7 (radioactive) material* See the definition of *Radioactive material* in this section.

*Closed transport vehicle* means a transport vehicle or conveyance equipped with a securely attached exterior enclosure that during normal transportation restricts the access of unauthorized persons to the cargo space containing the Class 7 (radioactive) materials. The enclosure may be either temporary or permanent, and in the case of packaged materials may be of the “see-through” type, and must limit access from top, sides, and bottom.